

Atty. Dkt. No. 042397-0201

CERTIFICATE OF MAILING I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office, Fax No. 703 748-3103, on the date below.

Wesley B. Ames

(Printed Name)

(Signature)

200 5 (Date of Deposit)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

Matsubara, et al.

Title:

GENE SIGNATURE

Appl. No.:

08/530,112

Filing

July 7, 1995

Date:

Examiner:

Shukla, R.

Art Unit:

1632

PETITION FOR REVIVAL OF APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 C.F.R. § 1.137(b)

Commissioner for Patents

**Box DAC** 

Washington, D.C. 20231

Attn: OFFICE OF PETITIONS

8 740.00

1280.00

OFFICE OF PETITIONS

Sir:

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on December 19, 2000, which set a threemonth period for response due March 19, 2001.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- Required reply and/or fee; (1)
- (2) Petition fee (37 C.F.R. § 1.17(m));
- (3) Statement that the abandonment was unintentional; and
- Any required terminal disclaimer (37 C.F.R. § 1.137(c)). (4)

Authorization for payment for the amount stated in 37 C.F.R. § 1.17(m) to cover for this petition is attached. the fee for this petition is attached.

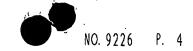
For this petition is attached.

The Commissioner is hereby authorized to charge any additional fees which may the required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any

Adjustgent date: 10/11/2002 AKELLEY 06/06/2002 DJRCOBS 0000001 08530112 -740.00 OP 01 FC:146

10/11/2002 AKELLEY 00000036

-1-



Atty. Dkt. No. 042397-0201

overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Statement that the abandonment was unintentional. (5)

Applicant hereby states that the entire delay in filing the required reply, from the due date for the reply until the filing of this petition, was unintentional.

(6) Any required terminal disclaimer (37 C.F.R. § 1.137(c)).

No terminal disclaimer is required in this application under 37 C.F.R. § 1.137(c) since this application was not filed before June 8, 1995.

Respectfully submitted,

Date 4 June 2002

**FOLEY & LARDNER** P.O. Box 80278 San Diego, California 92138-0278

Facsimile:

Telephone: (858) 847-6714 (858) 792-6773

Wesley B. Ames

Attorney for Applicant Registration No. 40,893